

In the House of Representatives, U. S.,

January 9, 1996.

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 1358) entitled “An Act to require the Secretary of Commerce to convey to the Commonwealth of Massachusetts the National Marine Fisheries Services laboratory located on Emerson Avenue in Gloucester, Massachusetts”, with the following

AMENDMENT:

At the end of the matter inserted by said amendment,
insert:

1 *TITLE I*

2 *That the following sums are hereby appropriated, out*
3 *of any money in the Treasury not otherwise appropriated,*
4 *and out of applicable corporate or other revenues, receipts,*
5 *and funds, for the several departments, agencies, corpora-*
6 *tions, and other organizational units of Government for the*
7 *fiscal year 1996, and for other purposes, namely:*

8 *SEC. 101. (a) Such amounts as may be necessary*
9 *under the authority and conditions provided in the applica-*
10 *ble appropriations Act for the fiscal year 1995 for continu-*
11 *ing the following projects or activities including the costs*
12 *of direct loans and loan guarantees (not otherwise specifi-*

1 cally provided for in this Act) which were conducted in the
2 fiscal year 1995:

3 (1) all allowances paid under section 5(b) of the
4 Peace Corps Act, 22 U.S.C. section 2504, notwith-
5 standing section 10 of Public Law 91–672, at a rate
6 for operations, notwithstanding any other provision
7 of this Act, provided for in the conference report and
8 joint explanatory statement of the Committee of Con-
9 ference (House Report 104–295) on the Foreign Oper-
10 ations, Export Financing, and Related Programs Ap-
11 propriations Act, 1996 (H.R. 1868), as passed by the
12 House of Representatives on October 31, 1995;

13 (2) all activities, including administrative ex-
14 penses, necessary to process single-family mortgage
15 loans and refinancing for low-income and moderate-
16 income families funded under the Federal Housing
17 Administration’s “FHA-mutual mortgage insurance
18 program account” and “FHA-general and special risk
19 program account” in the Department of Housing and
20 Urban Development at a rate for operations, notwith-
21 standing any other provision of this Act, provided for
22 in the conference report and joint explanatory state-
23 ment of the Committee of Conference (House Report
24 104–384) on the Veterans Affairs and Housing and
25 Urban Development, and Independent Agencies Ap-

1 *appropriations Act, 1996 (H.R. 2099), as passed by the*
2 *House of Representatives on December 7, 1995;*

3 (3) *all projects and activities directly related to*
4 *the security of United States diplomatic posts and fa-*
5 *cilities abroad, notwithstanding section 15 of the*
6 *State Department Basic Authorities Act of 1956 at a*
7 *rate for operations, notwithstanding any other provi-*
8 *sion of this Act, provided for in the conference report*
9 *and joint explanatory statement of the Committee of*
10 *Conference (House Report 104–378) on the Depart-*
11 *ments of Commerce, Justice, and State, the Judiciary,*
12 *and Related Agencies Appropriations Act, 1996 (H.R.*
13 *2076), as passed by the House of Representatives on*
14 *December 6, 1995;*

15 (4) *activities funded under the account heading*
16 *“Emergency food and shelter program” in the Federal*
17 *Emergency Management Agency: Provided, That, not-*
18 *withstanding any other provision of this Act, the*
19 *amount made available by this Act shall not exceed*
20 *\$46,000,000: Provided further, That not to exceed*
21 *three and one-half per centum of the amount made*
22 *available shall be for administrative costs;*

23 (5) *all retirement pay and medical benefits for*
24 *Public Health Services Commissioned Officers as au-*
25 *thorized by law, and for payments under the Retired*

1 *Serviceman's Family Protection Plan and Survivor*
2 *Benefit Plan and for medical care of dependents and*
3 *retired personnel under the Dependent's Medical Care*
4 *Act (10 U.S.C. ch. 55) and for payments pursuant to*
5 *section 229(b) of the Social Security Act (42 U.S.C.*
6 *429(b)) at a rate for operations, notwithstanding any*
7 *other provision of this Act, provided for in the De-*
8 *partments of Labor, Health and Human Services,*
9 *and Education, and Related Agencies Appropriations*
10 *Act, 1996 (H.R. 2127), as passed by the House of*
11 *Representatives on August 4, 1995;*

12 *(6) all projects and activities of the Federal Bu-*
13 *reau of Investigation, Drug Enforcement Administra-*
14 *tion, Interagency Crime and Drug Enforcement, Fed-*
15 *eral Prison System, United States Attorneys, United*
16 *States Marshals Service, Federal Prisoner Detention,*
17 *Fees and Expenses of Witnesses, Immigration and*
18 *Naturalization Service, and the Executive Office for*
19 *Immigration Review, necessary for the investigation*
20 *and prosecution of criminal and civil offenses; na-*
21 *tional security; the apprehension, detention and re-*
22 *moval of illegal and criminal aliens; the incarcer-*
23 *ation, detention, and movement of Federal prisoners*
24 *and detainees; and the protection of the Federal judi-*
25 *ciary at a rate for operations, notwithstanding any*

1 *other provision of this Act, provided for in the con-*
2 *ference report and joint explanatory statement of the*
3 *Committee of Conference (House Report 104–378) on*
4 *the Departments of Commerce, Justice, and State, the*
5 *Judiciary, and Related Agencies Appropriations Act,*
6 *1996 (H.R. 2076), as passed by the House of Rep-*
7 *resentatives on December 6, 1995;*

8 *(7) all projects and activities of the Judiciary to*
9 *the extent and in the manner and at a rate for oper-*
10 *ations, notwithstanding any other provision of this*
11 *Act, provided for in the conference report and joint*
12 *explanatory statement of the Committee of Conference*
13 *(House Report 104–378) on the Departments of Com-*
14 *merce, Justice, and State, the Judiciary, and Related*
15 *Agencies Appropriations Act, 1996 (H.R. 2076), as*
16 *passed by the House of Representatives on December*
17 *6, 1995;*

18 *(8) all projects and activities necessary to pro-*
19 *vide for the expenses of State surveys and certifi-*
20 *cations under the account heading “Program Manage-*
21 *ment” under the Health Care Financing Administra-*
22 *tion in the Department of Health and Human Serv-*
23 *ices;*

24 *(9) trade adjustment assistance benefits and*
25 *North American Free Trade Act benefits funded under*

1 *the account heading “Federal Unemployment Benefits*
2 *and Allowances” under the Employment and Train-*
3 *ing Administration in the Department of Labor;*

4 *(10) payments to the Federal Hospital Insurance*
5 *and the Federal Supplementary Medical Insurance*
6 *Trust Funds under the account heading “Payments to*
7 *Health Care Trust Funds” under the Health Care Fi-*
8 *ncing Administration in the Department of Health*
9 *and Human Services;*

10 *(11) all projects and activities necessary to pro-*
11 *vide for the expenses of Medicare contractors under*
12 *title XVIII of the Social Security Act under the ac-*
13 *count heading “Program Management” under the*
14 *Health Care Financing Administration in the De-*
15 *partment of Health and Human Services;*

16 *(12) all projects and activities funded under the*
17 *account heading “Grants to States for Medicaid”*
18 *under the Health Care Financing Administration in*
19 *the Department of Health and Human Services;*

20 *(13) all projects and activities of the National*
21 *Institutes of Health in the Department of Health and*
22 *Human Services at a rate for operations, notwith-*
23 *standing any other provision of this Act, provided for*
24 *in the Departments of Labor, Health and Human*
25 *Services, and Education, and Related Agencies Ap-*

1 *appropriations Act, 1996 (H.R. 2127), as passed by the*
2 *House of Representatives on August 4, 1995;*

3 *(14) all projects and activities necessary to carry*
4 *out the section 7(a) General Business Loan Guaranty*
5 *Program and the section 504 Certified Development*
6 *Company Program, as authorized by law, under the*
7 *Small Business Administration at a rate for oper-*
8 *ations, notwithstanding any other provision of this*
9 *Act, provided for in the conference report and joint*
10 *explanatory statement of the Committee of Conference*
11 *(House Report 104–378) on the Departments of Com-*
12 *merce, Justice, and State, the Judiciary, and Related*
13 *Agencies Appropriations Act, 1996 (H.R. 2076), as*
14 *passed by the House of Representatives on December*
15 *6, 1995;*

16 *(15) all projects and activities funded under the*
17 *account heading “Surety Bond Guarantees Revolving*
18 *Fund” under the Small Business Administration at*
19 *a rate for operations, notwithstanding any other pro-*
20 *vision of this Act, provided for in the conference re-*
21 *port and joint explanatory statement of the Commit-*
22 *tee of Conference (House Report 104–378) on the De-*
23 *partments of Commerce, Justice, and State, the Judi-*
24 *ciary, and Related Agencies Appropriations Act, 1996*

1 *(H.R. 2076), as passed by the House of Representa-*
2 *tives on December 6, 1995;*

3 *(16) all projects and activities necessary to ac-*
4 *commodate visitors and to provide for visitors services*
5 *on the public lands managed by the Bureau of Land*
6 *Management at a rate for operations, notwithstand-*
7 *ing any other provision of this Act, provided for in*
8 *the conference report and joint explanatory statement*
9 *of the Committee of Conference (House Report 104–*
10 *402) on the Department of the Interior and Related*
11 *Agencies Appropriations Act, 1996 (H.R. 1977), as*
12 *passed by the House of Representatives on December*
13 *13, 1995;*

14 *(17) all projects and activities funded under the*
15 *account heading “Disease Control, Research, and*
16 *Training” under the Centers for Disease Control and*
17 *Prevention in the Department of Health and Human*
18 *Services at a rate for operations, notwithstanding*
19 *any other provision of this Act, not to exceed an an-*
20 *nual rate for new obligational authority of*
21 *\$2,114,693,000;*

22 *(18) all Self-Determination and Self-Governance*
23 *projects and activities of tribes or tribal organizations*
24 *(as that term is defined in Public Law 93–638) that*
25 *are authorized by Public Law 93–638 under the ac-*

1 *count heading “Operation of Indian Programs”*
2 *under the Bureau of Indian Affairs in the Depart-*
3 *ment of the Interior or under the account heading*
4 *“Indian Health Services” under the Indian Health*
5 *Service in the Department of Health and Human*
6 *Services at a rate for operations, notwithstanding*
7 *any other provision of this Act, provided for in the*
8 *conference report and joint explanatory statement of*
9 *the Committee of Conference (House Report 104–402)*
10 *on the Department of the Interior and Related Agen-*
11 *cies Appropriations Act, 1996 (H.R. 1977), as passed*
12 *by the House of Representatives on December 13,*
13 *1995;*

14 *(19) all projects and activities necessary to pro-*
15 *vide for the expenses of the Kendall Demonstration*
16 *Elementary School and the Model Secondary School*
17 *for the Deaf under the account heading “Gallaudet*
18 *University” in the Department of Education;*

19 *(20) payments for benefits and interest on ad-*
20 *vances, together with expenses of operation and ad-*
21 *ministration, under the account heading “Black Lung*
22 *Disability Trust Fund” under the Employment*
23 *Standards Administration in the Department of*
24 *Labor; and*

1 (21) payments for benefits, together with ex-
2 penses of operation and administration, under the ac-
3 count heading “Special Benefits for Disabled Coal
4 Miners” in the Social Security Administration:

5 *Provided, That whenever the amount which would be made*
6 *available or the authority which would be granted under*
7 *an Act which included funding for fiscal year 1996 for the*
8 *projects and activities listed in this section is greater than*
9 *that which would be available or granted under current op-*
10 *erations, the pertinent project or activity shall be continued*
11 *at a rate for operations not exceeding the current rate.*

12 (b) *Whenever the amount which would be made avail-*
13 *able or the authority which would be granted under the Act*
14 *which included funding for fiscal year 1996 for the projects*
15 *and activities listed in this section as passed by the House*
16 *as of the date of enactment of this Act, is different from*
17 *that which would be available or granted under such Act*
18 *as passed by the Senate as of the date of enactment of this*
19 *Act, the pertinent project or activity shall be continued at*
20 *a rate for operations not exceeding the current rate or the*
21 *rate permitted by the action of the House or the Senate,*
22 *whichever is lower, under the authority and conditions pro-*
23 *vided in the applicable appropriations Act for the fiscal*
24 *year 1995.*

1 (c) Whenever an Act which included funding for fiscal
2 year 1996 for the projects and activities listed in this sec-
3 tion has been passed by only the House or only the Senate
4 as of the date of enactment of this Act, the pertinent project
5 or activity shall be continued under the appropriation,
6 fund, or authority granted by the one House at a rate for
7 operations not exceeding the current rate or the rate per-
8 mitted by the action of the one House, whichever is lower,
9 and under the authority and conditions provided in the ap-
10 plicable appropriations Act for the fiscal year 1995.

11 SEC. 102. Appropriations made by section 101 shall
12 be available to the extent and in the manner which would
13 be provided by the pertinent appropriations Act.

14 SEC. 103. No appropriation or funds made available
15 or authority granted pursuant to section 101 shall be used
16 to initiate or resume any project or activity for which ap-
17 propriations, funds, or other authority were not available
18 during the fiscal year 1995.

19 SEC. 104. No provision which is included in the appro-
20 priations Act enumerated in section 101 but which was not
21 included in the applicable appropriations Act for fiscal
22 year 1995 and which by its terms is applicable to more
23 than one appropriation, fund, or authority shall be applica-
24 ble to any appropriation, fund, or authority provided in
25 this Act.

1 *SEC. 105. Appropriations made and authority granted*
2 *pursuant to this title of this Act shall cover all obligations*
3 *or expenditures incurred for any program, project, or activ-*
4 *ity during the period for which funds or authority for such*
5 *project or activity are available under this Act.*

6 *SEC. 106. Unless otherwise provided for in this title*
7 *of this Act or in the applicable appropriations Act, appro-*
8 *priations and funds made available and authority granted*
9 *pursuant to this title of this Act shall be available until*
10 *(a) enactment into law of an appropriation for any project*
11 *or activity provided for in this title of this Act, or (b) the*
12 *enactment into law of the applicable appropriations Act by*
13 *both Houses without any provision for such project or activ-*
14 *ity, or (c) September 30, 1996, whichever first occurs.*

15 *SEC. 107. Expenditures made pursuant to this title of*
16 *this Act shall be charged to the applicable appropriation,*
17 *fund, or authorization whenever a bill in which such appli-*
18 *cable appropriation, fund, or authorization is contained is*
19 *enacted into law.*

20 *SEC. 108. No provision in the appropriations Act for*
21 *the fiscal year 1996 referred to in section 101 of this Act*
22 *that makes the availability of any appropriation provided*
23 *therein dependent upon the enactment of additional author-*
24 *izing or other legislation shall be effective before the date*
25 *set forth in section 106(c) of this Act.*

11 *TITLE II*

(a) *EXTENSION.*—Section 112(b) of the Yavapai-Prescott Indian Tribe Water Rights Settlement Act of 1994 (108 Stat. 4532) is amended by striking “December 31, 1995” and inserting “June 30, 1996”.

18 (b) *EFFECTIVE DATE.*—The amendment made by sub-
19 section (a) shall take effect as of December 31, 1995, and
20 with the consent of Prescott, Arizona, the contract referred
21 to in such section 112(b) is revived.

24 (a) *EXTENSION.*—Section 3711(b)(1) of the San Carlos
25 Apache Tribe Water Rights Settlement Act of 1992 (title

1 XXXVII of Public Law 102–575) is amended by striking
 2 “December 31, 1995” and inserting “December 31, 1996”.

3 (b) *EFFECTIVE DATE.*—

4 (1) *IN GENERAL.*—The amendment made by sub-
 5 section (a) shall take effect as of December 31, 1995.

6 (2) *LAPSED PROVISIONS OF LAW AND CON-*
 7 *TRACTS.*—The provisions of subsections (c) and (d) of
 8 section 3704, subsections (a) and (b) of section 3705,
 9 section 3706, subsections (a)(2), (c), (d), and (f) of
 10 section 3707, subsections (b) and (c) of section 3708,
 11 and subsections (a), (b), (c), (d), (e), (g), (h), (j), and
 12 (l) of section 3710 of such Act, together with each con-
 13 tract entered into pursuant to any such section or
 14 subsection (with the consent of the non-Federal par-
 15 ties thereto), shall be effective on and after the date
 16 of enactment of this Act, subject to the December 31,
 17 1966, deadline specified in such section 3711(b)(1), as
 18 amended by subsection (a) of this section.

Attest:

Clerk.

104TH CONGRESS
2^D SESSION

H. R. 1358

AMENDMENT
TO
SENATE AMENDMENT